

REMARKS

The above amendment and following remarks are responsive to all the points of objection and rejection raised by the Examiner in the Office Action dated December 3, 2002. Upon entry of this Amendment, claim 5 will have been amended and claims 5, 6 and 9-33 will be pending in the application. The amendment to claim 5 is fully supported by the original disclosure, drawings and original appended claims. No new matter has been introduced. Entry and consideration of this Amendment is respectfully requested.

Attached to this Amendment is a one-page "Attachment 1" that shows the amendment made to claim 5 by bracketing the text that has been deleted and underlining the text that has been added.

Allowed Subject Matter

Applicants note with appreciation that the Examiner has allowed claims 13-33. Specifically, the Examiner states that the prior art of record does not teach or fairly suggest the presently claimed modified lateral ribbon length produced using a trick plate or the claimed modified lateral ribbon length in conjunction with a reduced lateral shrinkage in the netting produced.

Response To Objections To Claims 6 And 9-12

Claims 6 and 9-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all the limitations

of the base claim and any intervening claims. However, the Applicants have chosen not to rewrite the above claims as suggested because the proposed amendment herein is believed to be sufficient to overcome the rejection to the base claim from which claims 6 and 9-12 depend.

Response To Rejections To Claim 5 Under 35 U.S.C. §103(a)

Claim 5 stands rejected as being unpatentable over Diestel et al. (U.S. Pat. No. 5,660,062, hereafter Diestel) in view of Leiber (U.S. Pat. No. 5,256,353). Accordingly, Applicants have amended claim 5 to overcome the rejection over Diestel in view of Leiber. Specifically, claim 5 has been amended to recite "a method of producing a knitted netting comprising: ...forming a knitted netting having at least one modified lateral ribbon with reduced lateral shrinkage," which is a feature not believed to be taught or suggested by Diestel or Leiber, individually or in combination. In fact, in the Office Action, the Examiner notes that the prior art of record does not teach or fairly suggest a modified lateral ribbon length in conjunction with reduced lateral shrinkage in the netting produced. Accordingly, claim 5 as amended is believed to be distinguishable over Diestel in view of Leiber at least for the reasons noted above. Likewise, claims 6 and 9-12 are also believed to be distinguishable over Diestel in view of Leiber based on their dependency from claim 5.

CONCLUSION

It is respectfully submitted that the claimed invention is not taught or suggested by the references of record, and the application is now in condition for allowance.

AUTHORIZATIONS

No fee is due by filing of this Amendment. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this Amendment under 37 C.F.R. §§ 1.16 and 1.17, including any extension of time, or credit any overpayment to Deposit Account No. 13-4503, Order No. 1874-4014US2.

Respectfully submitted,

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PATENT

Attorney's Docket No. 1874-4014US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nissim MASS
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Art Unit: 1771

Examiner: Juska, Cheryl Ann

Serial No. : 09/781,562

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For : MODIFIED SHUSS KNITTED NETTING

ATTACHMENT 1

Commissioner of Patents
Washington, D.C. 20231

Sir:

The amendment made to claim 5 herein is indicated in this attachment by bracketing the text that has been deleted and underlining the text that has been added.

IN THE CLAIMS:

Please note the following amendment to claim 5:

5. (Twice Amended) A method of producing knitted netting, comprising:

supplying lateral polyolefin ribbons and longitudinal polyolefin ribbons to a knitting machine;

forming at least one modified lateral ribbon having an actual ribbon length that is at least 10% greater than a calculated ribbon length while knitting the lateral polyolefin ribbons with the longitudinal polyolefin ribbons to form a knitted netting having at least one modified lateral ribbon with reduced lateral shrinkage.

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